

1 ROBERT WAGGENER - SBN: 118450  
2 LAW OFFICE OF ROBERT WAGGENER  
214 Duboce Avenue  
3 San Francisco, California 94103  
Phone: (415) 431-4500  
Fax: (415) 255-8631  
4 E-Mail: [rwlaw@mindspring.com](mailto:rwlaw@mindspring.com)

5 MARCIA ANN MORRISSEY - SBN: 66921  
LAW OFFICE OF MARCIA ANN MORRISSEY  
6 11400 W. Olympic Blvd., STE 1500  
LOS ANGELES, CA 90064  
7 Phone: (310) 399-3259  
Fax: (310) 392-9029  
8 E-mail: morrisseyma@aol.com

9 Attorney for Defendant RUSSELL TAYLOR OTT

10

11

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

13

14

UNITED STATES OF AMERICA, **No. CR 17 533 EMC**

15

Plaintiff,

**TRIAL GROUP ONE JOINT  
OBJECTION TO TRIAL EXHIBIT 52**

16

v.

17

RUSSELL TAYLOR OTT,

18

Defendant.

/

19

20

**TO: THE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF CALIFORNIA; ASSISTANT UNITED STATES ATTORNEYS KEVIN BARRY, AJAY KRISHNAMURTHY AND LINA PENG; AND TO THE CLERK OF THE ABOVE-ENTITLED COURT:**

21

22

Today, April 21, 2022, the government provided notice to Nelson Trial Group One that it intends to call witness Nick Esquada, a CalFire investigator, to testify on April 22, 2022, and introduce exhibit GX 52, 98 photographs of a burned truck registered to Joel Silva.

23

24

All defendants object to the admission of all of exhibit GX 52 on the grounds that the full set of photographs are cumulative and unnecessary. There is no dispute as to the condition of the

25

26

**TRIAL GROUP ONE JOINT  
OBJECTION TO TRIAL EXHIBIT 52**

burned truck discovered by authorities, and there is no need for 98 separate photographs to be introduced.

3 A separate issue to be taken up by the Court is the failure of the government to give two  
4 day notice of the intent to introduce specific co-conspirator statements through the witnesses it  
5 intends to call.

6

7 || Dated: April 21, 2022

Respectfully submitted,

8

/s/  
ROBERT F. WAGGENER  
MARCIA M. MORRISSEY  
Attorneys for Russell T. Ott

10

11

12

13

14

16

15

1

2

23

24

25

26

27

28

**TRIAL GROUP ONE JOINT  
OBJECTION TO TRIAL EXHIBIT 52**